

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF TENNESSEE

Case number (if known)

Chapter 11

Check if this an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	<u>Diamond Xpress, LLC</u>		
2. All other names debtor used in the last 8 years	Include any assumed names, trade names and <i>doing business as</i> names		
3. Debtor's federal Employer Identification Number (EIN)	<u>62-1251354</u>		
4. Debtor's address	<b>Principal place of business</b>  <u>2672 Channel Avenue</u> <u>Memphis, TN 38113</u> Number, Street, City, State & ZIP Code	<b>Mailing address, if different from principal place of business</b>  <u>P.O. Box 13422</u> <u>Memphis, TN 38113</u> P.O. Box, Number, Street, City, State & ZIP Code	
	<u>Shelby</u> County	<b>Location of principal assets, if different from principal place of business</b>  Number, Street, City, State & ZIP Code	
5. Debtor's website (URL)			
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____		

Debtor **Diamond Xpress, LLC**  
Name**7. Describe debtor's business** A. *Check one:*

Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the above

B. *Check all that apply*

Tax-exempt entity (as described in 26 U.S.C. §501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)  
 Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

## C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.

See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

## Check one:

Chapter 7  
 Chapter 9  
 Chapter 11. *Check all that apply:*

Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).  
 The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.  
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?** No. Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?** No Yes.

List all cases. If more than 1, attach a separate list

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number, if known \_\_\_\_\_

Debtor

**Diamond Xpress, LLC**

Name

**11. Why is the case filed in this district?** *Check all that apply:*

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?** No Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention? (Check all that apply.)**

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

 Other \_\_\_\_\_**Where is the property?**

Number, Street, City, State &amp; ZIP Code

**Is the property insured?** No Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information****13. Debtor's estimation of available funds** *Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors** 1-49 1,000-5,000 25,001-50,000 50-99 5001-10,000 50,001-100,000 100-199 10,001-25,000 More than 100,000 200-999**15. Estimated Assets** \$0 - \$50,000 \$1,000,001 - \$10 million \$500,000,001 - \$1 billion \$50,001 - \$100,000 \$10,000,001 - \$50 million \$1,000,000,001 - \$10 billion \$100,001 - \$500,000 \$50,000,001 - \$100 million \$10,000,000,001 - \$50 billion \$500,001 - \$1 million \$100,000,001 - \$500 million More than \$50 billion**16. Estimated liabilities** \$0 - \$50,000 \$1,000,001 - \$10 million \$500,000,001 - \$1 billion \$50,001 - \$100,000 \$10,000,001 - \$50 million \$1,000,000,001 - \$10 billion \$100,001 - \$500,000 \$50,000,001 - \$100 million \$10,000,000,001 - \$50 billion \$500,001 - \$1 million \$100,000,001 - \$500 million More than \$50 billion

Debtor

**Diamond Xpress, LLC**

Name

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 14, 2016

MM / DD / YYYY

**X /s/ James Pipkin, Jr.**

Signature of authorized representative of debtor

**James Pipkin, Jr.**

Printed name

Title Member

**18. Signature of attorney**

**X /s/ Russell W. Savory**

Signature of attorney for debtor

Date January 14, 2016

MM / DD / YYYY

**Russell W. Savory**

Printed name

**Beard & Savory, PLLC**

Firm name

**119 South Main Street**

**Suite 500**

**Memphis, TN 38103**

Number, Street, City, State & ZIP Code

Contact phone (901) 523-1110

Email address karla@bsavory.com

Bar number and State

Fill in this information to identify the case:

Debtor name Diamond Xpress, LLC

United States Bankruptcy Court for the: WESTERN DISTRICT OF TENNESSEE

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

Official Form 202

## Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets–Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- Amended Schedule*
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration* \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 14, 2016

X /s/ James Pipkin, Jr.

Signature of individual signing on behalf of debtor

James Pipkin, Jr.

Printed name

Member

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name	Diamond Xpress, LLC
United States Bankruptcy Court for the:	WESTERN DISTRICT OF TENNESSEE
Case number (if known):	_____

Check if this is an  
amended filing

## Official Form 204

### Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
AMERICAN EXPRESS P O BOX 650448 DALLAS, TX 75265-0448						\$18,138.00
BankTennessee 1125 West Poplar Avenue Collierville, TN 38017-0817		Accounts and Accounts Receivable		\$25,000.00	\$0.00	\$25,000.00
CACH, LLC 10865 Grandview Drive Suite 2000 Overland Park, KS 66210-1503		Business Loan				\$88,667.00
Electronic Funds Source 1104 Country Hills Drive Ogden, UT 84201		Fuel				\$7,000.00
Everest Business Funding 2001 NW 101st Avenue, Suite 300 Miami, FL 33172						\$80,000.00
Global Merchant Cash 64 Beaver Street New York, NY 10004						\$84,074.00
Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114		Payroll taxes				\$34,641.00

Debtor **Diamond Xpress, LLC**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Nextwave Enterprises, LLC 5757 Blue Lagoon Drive, Suite 170 Miami, FL 33126		Asserted lien on "future receivables"	Disputed	\$162,000.00	\$0.00	\$162,000.00
Wells Fargo P.O. Box 6426 Carol Stream, IL 60197-6426						\$68,594.90

Fill in this information to identify the case:

Debtor name **Diamond Xpress, LLC**

United States Bankruptcy Court for the: **WESTERN DISTRICT OF TENNESSEE**

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

**Official Form 206Sum  
Summary of Assets and Liabilities for Non-Individuals**

**12/15**

**Part 1: Summary of Assets**

**1. Schedule A/B: Assets-Real and Personal Property** (Official Form 206A/B)

**1a. Real property:**

Copy line 88 from *Schedule A/B*..... \$ **0.00**

**1b. Total personal property:**

Copy line 91A from *Schedule A/B*..... \$ **238,800.00**

**1c. Total of all property:**

Copy line 92 from *Schedule A/B*..... \$ **238,800.00**

**Part 2: Summary of Liabilities**

**2. Schedule D: Creditors Who Have Claims Secured by Property** (Official Form 206D)

Copy the total dollar amount listed in Column A, *Amount of claim*, from line 3 of *Schedule D*..... \$ **327,000.00**

**3. Schedule E/F: Creditors Who Have Unsecured Claims** (Official Form 206E/F)

**3a. Total claim amounts of priority unsecured claims:**

Copy the total claims from Part 1 from line 5a of *Schedule E/F*..... \$ **34,641.00**

**3b. Total amount of claims of nonpriority amount of unsecured claims:**

Copy the total of the amount of claims from Part 2 from line 5b of *Schedule E/F*..... +\$ **346,473.90**

**4. Total liabilities** .....

Lines 2 + 3a + 3b

\$ **708,114.90**

Fill in this information to identify the case:

Debtor name **Diamond Xpress, LLC**

United States Bankruptcy Court for the: **WESTERN DISTRICT OF TENNESSEE**

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

## Official Form 206A/B

### Schedule A/B: Assets - Real and Personal Property

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

**Part 1: Cash and cash equivalents**

1. Does the debtor have any cash or cash equivalents?

No. Go to Part 2.

Yes Fill in the information below.

**All cash or cash equivalents owned or controlled by the debtor**

**Current value of debtor's interest**

3. **Checking, savings, money market, or financial brokerage accounts (Identify all)**

Name of institution (bank or brokerage firm) Type of account

Last 4 digits of account number

3.1. **Bank Tennessee**

**Checking**

**\$800.00**

4. **Other cash equivalents (Identify all)**

5. **Total of Part 1.**

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

**\$800.00**

**Part 2: Deposits and Prepayments**

6. Does the debtor have any deposits or prepayments?

No. Go to Part 3.

Yes Fill in the information below.

**Part 3: Accounts receivable**

10. Does the debtor have any accounts receivable?

No. Go to Part 4.

Yes Fill in the information below.

11. **Accounts receivable**

11a. 90 days old or less:

**100,000.00**

-

**0.00**

= ....

**\$100,000.00**

face amount

doubtful or uncollectible accounts

Debtor Diamond Xpress, LLC  
Name

Case number (*If known*) \_\_\_\_\_

12. **Total of Part 3.**

Current value on lines 11a + 11b = line 12. Copy the total to line 82.

**\$100,000.00**

**Part 4: Investments**

13. Does the debtor own any investments?

No. Go to Part 5.  
 Yes Fill in the information below.

**Part 5: Inventory, excluding agriculture assets**

18. Does the debtor own any inventory (excluding agriculture assets)?

No. Go to Part 6.  
 Yes Fill in the information below.

**Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)**

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

No. Go to Part 7.  
 Yes Fill in the information below.

**Part 7: Office furniture, fixtures, and equipment; and collectibles**

38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?

No. Go to Part 8.  
 Yes Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
39. Office furniture			
40. Office fixtures			
41. Office equipment, including all computer equipment and communication systems equipment and software <b>Furniture, fixtures and equipment</b>	<b>\$0.00</b>		<b>\$3,000.00</b>

42. **Collectibles** Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; china and crystal; stamp, coin, or baseball card collections; other collections, memorabilia, or collectibles

43. **Total of Part 7.**

Add lines 39 through 42. Copy the total to line 86.

**\$3,000.00**

44. Is a depreciation schedule available for any of the property listed in Part 7?

No  
 Yes

45. Has any of the property listed in Part 7 been appraised by a professional within the last year?

No  
 Yes

**Part 8: Machinery, equipment, and vehicles**

46. Does the debtor own or lease any machinery, equipment, or vehicles?

Debtor Diamond Xpress, LLC \_\_\_\_\_ Case number (*If known*) \_\_\_\_\_  
 Name \_\_\_\_\_

No. Go to Part 9.  
 Yes Fill in the information below.

General description Include year, make, model, and identification numbers (i.e., VIN, HIN, or N-number)	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
---------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------	--------------------------------------------	---------------------------------------

47. **Automobiles, vans, trucks, motorcycles, trailers, and titled farm vehicles**

47.1. <u>9 Trailers</u>	<u>\$0.00</u>	<u>\$50,000.00</u>
47.2. <u>2000 Mack Truck</u>	<u>\$0.00</u>	<u>\$7,500.00</u>
47.3. <u>2000 Peterbilt</u>	<u>\$0.00</u>	<u>\$15,000.00</u>
47.4. <u>2000 Peterbilt</u>	<u>\$0.00</u>	<u>\$15,000.00</u>
47.5. <u>2005 Peterbilt</u>	<u>\$0.00</u>	<u>\$35,000.00</u>
47.6. <u>1996 Kenworth W90</u>	<u>\$0.00</u>	<u>\$10,000.00</u>
47.7. <u>1999 Transcraft</u>	<u>\$0.00</u>	<u>\$2,500.00</u>

48. **Watercraft, trailers, motors, and related accessories** Examples: Boats, trailers, motors, floating homes, personal watercraft, and fishing vessels

49. **Aircraft and accessories**

50. **Other machinery, fixtures, and equipment (excluding farm machinery and equipment)**

51. **Total of Part 8.**

Add lines 47 through 50. Copy the total to line 87.

\$135,000.00

52. **Is a depreciation schedule available for any of the property listed in Part 8?**

No  
 Yes

53. **Has any of the property listed in Part 8 been appraised by a professional within the last year?**

No  
 Yes

**Part 9: Real property**

54. **Does the debtor own or lease any real property?**

No. Go to Part 10.  
 Yes Fill in the information below.

55. **Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest**

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type	Nature and extent of debtor's interest in property	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------	----------------------------------------------------------	-----------------------------------------	------------------------------------

Debtor	<b>Diamond Xpress, LLC</b> Name	Case number ( <i>If known</i> )		
of property (for example, acreage, factory, warehouse, apartment or office building, if available.)				
55.1.	<b>2672 Channel Avenue, Memphis, Tennessee</b>	<b>Month-to-Month Tenancy</b>	<b>\$0.00</b>	<b>\$0.00</b>

56. **Total of Part 9.**

Add the current value on lines 55.1 through 55.6 and entries from any additional sheets.  
Copy the total to line 88.

**\$0.00**

57. **Is a depreciation schedule available for any of the property listed in Part 9?**

No  
 Yes

58. **Has any of the property listed in Part 9 been appraised by a professional within the last year?**

No  
 Yes

**Part 10: Intangibles and intellectual property**

59. **Does the debtor have any interests in intangibles or intellectual property?**

No. Go to Part 11.  
 Yes Fill in the information below.

**Part 11: All other assets**

70. **Does the debtor own any other assets that have not yet been reported on this form?**

Include all interests in executory contracts and unexpired leases not previously reported on this form.

No. Go to Part 12.  
 Yes Fill in the information below.

Debtor Diamond Xpress, LLC  
Name

Case number (*If known*) \_\_\_\_\_

Part 12: **Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. <b>Cash, cash equivalents, and financial assets.</b> <i>Copy line 5, Part 1</i>	<u>\$800.00</u>	
81. <b>Deposits and prepayments.</b> <i>Copy line 9, Part 2.</i>	<u>\$0.00</u>	
82. <b>Accounts receivable.</b> <i>Copy line 12, Part 3.</i>	<u>\$100,000.00</u>	
83. <b>Investments.</b> <i>Copy line 17, Part 4.</i>	<u>\$0.00</u>	
84. <b>Inventory.</b> <i>Copy line 23, Part 5.</i>	<u>\$0.00</u>	
85. <b>Farming and fishing-related assets.</b> <i>Copy line 33, Part 6.</i>	<u>\$0.00</u>	
86. <b>Office furniture, fixtures, and equipment; and collectibles.</b> <i>Copy line 43, Part 7.</i>	<u>\$3,000.00</u>	
87. <b>Machinery, equipment, and vehicles.</b> <i>Copy line 51, Part 8.</i>	<u>\$135,000.00</u>	
88. <b>Real property.</b> <i>Copy line 56, Part 9.....&gt;</i>		<u>\$0.00</u>
89. <b>Intangibles and intellectual property.</b> <i>Copy line 66, Part 10.</i>	<u>\$0.00</u>	
90. <b>All other assets.</b> <i>Copy line 78, Part 11.</i>	<u>\$0.00</u>	
91. <b>Total.</b> Add lines 80 through 90 for each column	<u>\$238,800.00</u>	+ 91b. <u>\$0.00</u>
92. <b>Total of all property on Schedule A/B.</b> Add lines 91a+91b=92		<u>\$238,800.00</u>

Fill in this information to identify the case:

Debtor name **Diamond Xpress, LLC**United States Bankruptcy Court for the: **WESTERN DISTRICT OF TENNESSEE**

Case number (if known) \_\_\_\_\_

 Check if this is an amended filing**Official Form 206D****Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible.

**1. Do any creditors have claims secured by debtor's property?**

No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.

Yes. Fill in all of the information below.

**Part 1: List Creditors Who Have Secured Claims**

2. List in alphabetical order all creditors who have secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim.

		<i>Column A</i> Amount of claim	<i>Column B</i> Value of collateral that supports this claim
<b>2.1</b> <b>BankTennessee</b> Creditor's Name	<b>Describe debtor's property that is subject to a lien</b> <b>Accounts</b> <b>Accounts receivable</b>	<b>\$140,000.00</b>	<b>\$100,000.00</b>
<b>1125 West Poplar Avenue Collierville, TN 38017-0817</b> Creditor's mailing address	<b>Describe the lien</b>		
	<b>Is the creditor an insider or related party?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
	<b>Is anyone else liable on this claim?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)		
<b>Do multiple creditors have an interest in the same property?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Specify each creditor, including this creditor and its relative priority.	<b>As of the petition filing date, the claim is:</b> Check all that apply <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed		
<b>2.2</b> <b>BankTennessee</b> Creditor's Name	<b>Describe debtor's property that is subject to a lien</b> <b>Accounts and Accounts Receivable</b>	<b>\$25,000.00</b>	<b>\$0.00</b>
<b>1125 West Poplar Avenue Collierville, TN 38017-0817</b> Creditor's mailing address	<b>Describe the lien</b>		
	<b>Is the creditor an insider or related party?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
	<b>Is anyone else liable on this claim?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)		
<b>Do multiple creditors have an interest in the same property?</b>	<b>As of the petition filing date, the claim is:</b> Check all that apply		

Debtor **Diamond Xpress, LLC**  
Name

Case number (if known)

No  
 Yes. Specify each creditor, including this creditor and its relative priority.

Contingent  
 Unliquidated  
 Disputed

**2.3 Gulf Coast Business Credit**

Creditor's Name

**Transportation Division  
7235 Jefferson Highway,  
2nd Floor  
Baton Rouge, LA 70806**

Creditor's mailing address

Describe debtor's property that is subject to a lien  
**Accounts Receivable**

**\$0.00** **\$100,000.00**

Describe the lien

Is the creditor an insider or related party?

No  
 Yes

Is anyone else liable on this claim?

No  
 Yes. Fill out *Schedule H: Codebtors* (Official Form 206H)

Date debt was incurred

Last 4 digits of account number

As of the petition filing date, the claim is:

Check all that apply

Contingent  
 Unliquidated  
 Disputed

**2.4 Nextwave Enterprises, LLC**

Creditor's Name

**5757 Blue Lagoon Drive,  
Suite 170  
Miami, FL 33126**

Creditor's mailing address

Describe debtor's property that is subject to a lien  
**Asserted lien on "future receivables"**

**\$162,000.00** **\$0.00**

Describe the lien

Is the creditor an insider or related party?

No  
 Yes

Is anyone else liable on this claim?

No  
 Yes. Fill out *Schedule H: Codebtors* (Official Form 206H)

Date debt was incurred

Last 4 digits of account number

As of the petition filing date, the claim is:

Check all that apply

Contingent  
 Unliquidated  
 Disputed

3. Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any.

**\$327,000.00**

**Part 2: List Others to Be Notified for a Debt Already Listed in Part 1**

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Debtor **Diamond Xpress, LLC**  
Name

Case number (if known)

Name and address

**Alan Pritchard, Esq.**  
5384 Poplar Avenue, Suite 333  
Memphis, TN 38119

On which line in Part 1 did  
you enter the related creditor?

Line 2.4

Last 4 digits of  
account number for  
this entity

**Chad P. Morrow, Esq.**  
909 Poydras Street  
28th Floor  
New Orleans, LA 70112

Line 2.3

Fill in this information to identify the case:

Debtor name **Diamond Xpress, LLC**

United States Bankruptcy Court for the: **WESTERN DISTRICT OF TENNESSEE**

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

## Official Form 206E/F

### Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

#### Part 1: List All Creditors with PRIORITY Unsecured Claims

1. Do any creditors have priority unsecured claims? (See 11 U.S.C. § 507).

No. Go to Part 2.

Yes. Go to line 2.

2. List in alphabetical order all creditors who have unsecured claims that are entitled to priority in whole or in part. If the debtor has more than 3 creditors with priority unsecured claims, fill out and attach the Additional Page of Part 1.

	Total claim	Priority amount
2.1	\$34,641.00	\$34,641.00
Priority creditor's name and mailing address <b>Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>	
	<input type="checkbox"/> Contingent	
	<input type="checkbox"/> Unliquidated	
	<input type="checkbox"/> Disputed	
Date or dates debt was incurred <b>2015 and 2016</b>	Basis for the claim: <b>Payroll taxes</b>	
Last 4 digits of account number	Is the claim subject to offset?	
Specify Code subsection of PRIORITY unsecured claim: 11 U.S.C. § 507(a) (8)	<input checked="" type="checkbox"/> No	
	<input type="checkbox"/> Yes	

#### Part 2: List All Creditors with NONPRIORITY Unsecured Claims

3. List in alphabetical order all of the creditors with nonpriority unsecured claims. If the debtor has more than 6 creditors with nonpriority unsecured claims, fill out and attach the Additional Page of Part 2.

	Amount of claim
3.1	\$18,138.00
Nonpriority creditor's name and mailing address <b>AMERICAN EXPRESS P O BOX 650448 DALLAS, TX 75265-0448</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>
	<input type="checkbox"/> Contingent
	<input type="checkbox"/> Unliquidated
	<input type="checkbox"/> Disputed
Date(s) debt was incurred _	Basis for the claim: _
Last 4 digits of account number _	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
3.2	\$88,667.00
Nonpriority creditor's name and mailing address <b>CACH, LLC 10865 Grandview Drive Suite 2000 Overland Park, KS 66210-1503</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>
	<input type="checkbox"/> Contingent
	<input type="checkbox"/> Unliquidated
	<input type="checkbox"/> Disputed
Date(s) debt was incurred _	Basis for the claim: <b>Business Loan</b>
Last 4 digits of account number <b>7283</b>	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

Debtor **Diamond Xpress, LLC**  
Name

Case number (if known)

3.3	Nonpriority creditor's name and mailing address <b>Electronic Funds Source</b> <b>1104 Country Hills Drive</b> <b>Ogden, UT 84201</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>	<b>\$7,000.00</b>
		<input type="checkbox"/> Contingent	
		<input type="checkbox"/> Unliquidated	
		<input type="checkbox"/> Disputed	
	Date(s) debt was incurred _____	<b>Basis for the claim: Fuel</b>	
	Last 4 digits of account number _____	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
3.4	Nonpriority creditor's name and mailing address <b>Everest Business Funding</b> <b>2001 NW 101st Avenue, Suite 300</b> <b>Miami, FL 33172</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>	<b>\$80,000.00</b>
		<input type="checkbox"/> Contingent	
		<input type="checkbox"/> Unliquidated	
		<input type="checkbox"/> Disputed	
	Date(s) debt was incurred _____	<b>Basis for the claim: _____</b>	
	Last 4 digits of account number _____	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
3.5	Nonpriority creditor's name and mailing address <b>Global Merchant Cash</b> <b>64 Beaver Street</b> <b>New York, NY 10004</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>	<b>\$84,074.00</b>
		<input type="checkbox"/> Contingent	
		<input type="checkbox"/> Unliquidated	
		<input type="checkbox"/> Disputed	
	Date(s) debt was incurred _____	<b>Basis for the claim: _____</b>	
	Last 4 digits of account number _____	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
3.6	Nonpriority creditor's name and mailing address <b>Wells Fargo</b> <b>P.O. Box 6426</b> <b>Carol Stream, IL 60197-6426</b>	As of the petition filing date, the claim is: <i>Check all that apply.</i>	<b>\$68,594.90</b>
		<input type="checkbox"/> Contingent	
		<input type="checkbox"/> Unliquidated	
		<input type="checkbox"/> Disputed	
	Date(s) debt was incurred _____	<b>Basis for the claim: _____</b>	
	Last 4 digits of account number _____	Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	

### Part 3: List Others to Be Notified About Unsecured Claims

4. List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

	Name and mailing address	On which line in Part 1 or Part 2 is the related creditor (if any) listed?	Last 4 digits of account number, if any
4.1	<b>Atwell, Curtis &amp; Brooks, LTD.</b> <b>P.O. Box 363</b> <b>Carle Place, NY 11514-0363</b>	Line <u>3.5</u>	—
		<input type="checkbox"/> Not listed. Explain _____	
4.2	<b>Blue Collar Capital</b> <b>30 Broad Street, No. 1412</b> <b>New York, NY 10004</b>	Line <u>3.5</u>	—
		<input type="checkbox"/> Not listed. Explain _____	

### Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims

5. Add the amounts of priority and nonpriority unsecured claims.

5a. Total claims from Part 1

**Total of claim amounts**

5a. \$ **34,641.00**

5b. Total claims from Part 2

5b. + \$ **346,473.90**

5c. Total of Parts 1 and 2

Lines 5a + 5b = 5c.

5c. \$ **381,114.90**

Fill in this information to identify the case:

Debtor name **Diamond Xpress, LLC**

United States Bankruptcy Court for the: **WESTERN DISTRICT OF TENNESSEE**

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

## Official Form 206G

### Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If more space is needed, copy and attach the additional page, number the entries consecutively.

1. Does the debtor have any executory contracts or unexpired leases?

No. Check this box and file this form with the debtor's other schedules. There is nothing else to report on this form.

Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B).

#### 2. List all contracts and unexpired leases

State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease

2.1. State what the contract or lease is for and the nature of the debtor's interest

**Receivables Purchase Agreement**

State the term remaining

**Gulf Coast Business Credit**

List the contract number of any government contract

**Transportation Division**

**7235 Jefferson Highway, 2nd Floor  
Baton Rouge, LA 70806**

2.2. State what the contract or lease is for and the nature of the debtor's interest

**Copier lease**

State the term remaining

**Konica Minolta  
100 Williams Drive  
Ramsey, NJ 07446**

List the contract number of any government contract

2.3. State what the contract or lease is for and the nature of the debtor's interest

**Insurance Premium Finance Agreement**

State the term remaining

**Southern Insurance Specialists  
591 Northpark Drive, No. C  
Ridgeland, MS 39157**

List the contract number of any government contract

2.4. State what the contract or lease is for and the nature of the debtor's interest

**Month-to-Month lease of business premises**

State the term remaining

**Tomsin Steel  
2672 Channel Avenue  
Memphis, TN 38113**

List the contract number of any government contract

Fill in this information to identify the case:

Debtor name **Diamond Xpress, LLC**

United States Bankruptcy Court for the: **WESTERN DISTRICT OF TENNESSEE**

Case number (if known) \_\_\_\_\_

Check if this is an amended filing

## Official Form 206H Schedule H: Your Codebtors

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

### 1. Do you have any codebtors?

No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.  
 Yes

2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, **Schedules D-G**. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.

Column 1: Codebtor

Column 2: Creditor

Name

Mailing Address

Name

Check all schedules that apply:

2.1 **James Pipkin, Jr.** **P.O. Box 13422** **Wells Fargo**  D \_\_\_\_\_  
**Memphis, TN 38113-0422**  E/F **3.6**  
 G \_\_\_\_\_

2.2 **James Pipkin, Jr.** **P.O. Box 13422** **AMERICAN EXPRESS**  D \_\_\_\_\_  
**Memphis, TN 38113-0422**  E/F **3.1**  
 G \_\_\_\_\_

2.3 **James Pipkin, Jr.** **BankTennessee**  D **2.1**  
 E/F \_\_\_\_\_  
 G \_\_\_\_\_

2.4 **James Pipkin, Jr.** **Nextwave Enterprises, LLC**  D **2.4**  
 E/F \_\_\_\_\_  
 G \_\_\_\_\_

2.5 **James Pipkin, Jr.** **Everest Business Funding**  D \_\_\_\_\_  
 E/F **3.4**  
 G \_\_\_\_\_

Debtor **Diamond Xpress, LLC**

Case number (if known) \_\_\_\_\_

**Additional Page to List More Codebtors**

Copy this page only if more space is needed. Continue numbering the lines sequentially from the previous page.

Column 1: Codebtor

Column 2: Creditor

2.6 **James Pipkin, Jr.**

**Global Merchant  
Cash**

D \_\_\_\_\_  
 E/F 3.5  
 G \_\_\_\_\_

2.7 **James Pipkin, Jr.**

**BankTennessee**

D 2.2  
 E/F \_\_\_\_\_  
 G \_\_\_\_\_

2.8 **James Pipkin, Jr.**

**Internal Revenue  
Service**

D \_\_\_\_\_  
 E/F 2.1  
 G \_\_\_\_\_

2.9 **James Pipkin, Jr.**

**CACH, LLC**

D \_\_\_\_\_  
 E/F 3.2  
 G \_\_\_\_\_

**United States Bankruptcy Court**  
**Western District of Tennessee**

In re **Diamond Xpress, LLC**

Debtor(s)

Case No.

Chapter

**11**

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept .....	\$ <u><b>13,283.00</b></u>
Prior to the filing of this statement I have received .....	\$ <u><b>13,283.00</b></u>
Balance Due .....	\$ <u><b>0.00</b></u>

2. The source of the compensation paid to me was:

Debtor  Other (specify):

3. The source of compensation to be paid to me is:

Debtor  Other (specify):

4.  I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.  
 I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**January 14, 2016**

*Date*

**/s/ Russell W. Savory**

**Russell W. Savory**

*Signature of Attorney*

**Beard & Savory, PLLC**

**119 South Main Street**

**Suite 500**

**Memphis, TN 38103**

**(901) 523-1110 Fax: (901) 523-1139**

**karla@bsavory.com**

*Name of law firm*

**United States Bankruptcy Court**  
**Western District of Tennessee**

In re **Diamond Xpress, LLC**

Debtor(s)

Case No.  
Chapter

**11**

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
<b>James Pipkin</b>			<b>100% Membership Interest</b>

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the **Member** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **January 14, 2016**

Signature **/s/ James Pipkin, Jr.**  
**James Pipkin, Jr.**

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court  
Western District of Tennessee**

In re **Diamond Xpress, LLC**

Debtor(s)

Case No.

Chapter **11**

**VERIFICATION OF CREDITOR MATRIX**

I, the Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **January 14, 2016**

**/s/ James Pipkin, Jr.**

**James Pipkin, Jr./Member**  
Signer/Title

Alan Pritchard, Esq.  
5384 Poplar Avenue, Suite 333  
Memphis, TN 38119

AMERICAN EXPRESS  
P O BOX 650448  
DALLAS, TX 75265-0448

Atwell, Curtis & Brooks, LTD.  
P.O. Box 363  
Carle Place, NY 11514-0363

BankTennessee  
1125 West Poplar Avenue  
Collierville, TN 38017-0817

Blue Collar Capital  
30 Broad Street, No. 1412  
New York, NY 10004

CACH, LLC  
10865 Grandview Drive  
Suite 2000  
Overland Park, KS 66210-1503

Chad P. Morrow, Esq.  
909 Poydras Street  
28th Floor  
New Orleans, LA 70112

Electronic Funds Source  
1104 Country Hills Drive  
Ogden, UT 84201

Everest Business Funding  
2001 NW 101st Avenue, Suite 300  
Miami, FL 33172

Global Merchant Cash  
64 Beaver Street  
New York, NY 10004

Gulf Coast Business Credit  
Transportation Division  
7235 Jefferson Highway, 2nd Floor  
Baton Rouge, LA 70806

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 21126  
Philadelphia, PA 19114

James Pipkin, Jr.  
P.O. Box 13422  
Memphis, TN 38113-0422

Konica Minolta  
100 Williams Drive  
Ramsey, NJ 07446

Nextwave Enterprises, LLC  
5757 Blue Lagoon Drive, Suite 170  
Miami, FL 33126

Southern Insurance Specialists  
591 Northpark Drive, No. C  
Ridgeland, MS 39157

Tomsin Steel  
2672 Channel Avenue  
Memphis, TN 38113

Wells Fargo  
P.O. Box 6426  
Carol Stream, IL 60197-6426

**United States Bankruptcy Court  
Western District of Tennessee**

In re **Diamond Xpress, LLC**

Debtor(s)

Case No.  
Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Diamond Xpress, LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None [Check if applicable]

January 14, 2016

Date

/s/ Russell W. Savory

**Russell W. Savory**

Signature of Attorney or Litigant  
Counsel for Diamond Xpress, LLC

**Beard & Savory, PLLC**

**119 South Main Street**

**Suite 500**

**Memphis, TN 38103**

**(901) 523-1110 Fax:(901) 523-1139**

**karla@bsavory.com**